B3 9. (amended) A pharmaceutical composition containing a compound according to Claim 1 or 2 as the active agent and optionally carriers and adjuvants.

REMARKS

The undersigned attorney wishes to thank Examiner Wright for the courtesy extended during their recent discussion of the application. In particular, reconsideration of the proposed restriction of the independent claim was discussed.

Claims 10 has been cancelled without prejudice, and claims 2,4,5,7,8 and 9 have been amended. No new matter has been added by the above amendment to the claims.

In light of the above amendments and following discussion, Applicants respectfully request that the outstanding rejections be withdrawn and the claims be allowed.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is entitled "VERSION WITH MARKINGS TO SHOW CHANGES MADE"

Claim 9 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In order to expedite examination of the claim, the claim has been amended as suggested by the Examiner. Applicants respectfully submit that this amendment obviates the rejection.

Claims 4, 5, 7, 8, 9, and 10 stands objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and a multiple dependent claim cannot depend from any other multiple dependent claim. In order to expedite examination of the claims, the claims have been amended to refer to other claims in the alternative. Applicants respectfully submit that this amendment obviates the objection.

Claim 2 stands objected to because of the following informalities: In claim 2, page 71, line 6, the word "substituted" has been misspelled. The claim has been amended to appropriately correct the misspelling. Applicants respectfully submit that this amendment obviates the objection.

Claims 1-10 stand objected to as containing non-elected subject matter. The Examiner reached the following generic concept as depicted in claim 1 for examination along with the elected embodiment: Ar is arylene; R^3 is H or alkyl; R4 is H or an alkyl group which may be substituted with one or more -OH or $-NH_2$ groups; R^5 is H or alkyl; R^6 is H or alkyl; R^7 is indol-3-yl; R^8 is H, alkyl; and X is as defined except that R^1 is -OH, $-C(=O)OR^2$, or alkyl. The remaining subject matter of claims 1-10 stands withdrawn from further consideration under 37 CFR 1.142(b) as constituting other patentably distinct inventions. Applicants respectfully disagree.

Respectfully, it appears that the generic concept prposed in the Office Action is arbitrary, As discussed with the Examiner, the claims as filed are fully supported and entitled to full examination at this time.

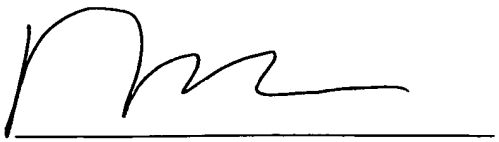
For instance, as the present specification makes clear, the invention features a wide range of compounds having the Formula (I). Applicants' disclosure is extensive and includes **over 200 working examples** in which various substituents for R1-R8 are used and each of which has common structure of Formula (I) but outside the Examiner's generic concept. For example, R7 is ethyl-morpholine in example 25, R4 is pyridine in example 77, R4 is benzo [1,3] dioxole in example 225. Further, X is not within the Examiner's general concept.

In view thereof, reconsideration and withdrawal of the objection are requested.

The USPTO is hereby authorized to charge deposit account no. 04-1105 for any further fees necessary to consider this submission.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,



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"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

IN THE CLAIMS

Please cancel clam 10 withou t prejudice.

Claims 2, 4, 5, 7, 8 and 9 have been amended to read as follows:

2. (amended) Compounds according to Claim 1, wherein

X is H_2N-C (=NH) - or R^1-N=C (-NH_2) - ;
wherein R^1 is -OH or -C (=O) OR^2;
wherein R^2 is alkyl, heteroalkyl, carbocyclic, heterocycloalkyl, aryl, heteroaryl or aralkyl;

Ar is arylene, heteroarylene, or aralkylene;

R^3 is H, alkyl, heteroalkyl or aralkyl;

R^4 is H, alkyl which may be substituted with -OH or -NH_2 groups, heteroalkyl, carbocyclic, carboxyalkyl ester, heterocycloalkyl, aryl which may be substituted with acyl groups, heteroaryl or aralkyl;

R^5 is H, alkyl, heteroalkyl, carbocyclic, or aralkyl;

R^6 and R^7 are independently H, alkyl, heteroalkyl, carbocyclic, heterocycloalkyl, aryl, heteroaryl, arylheterocycloalkyl which may be substituted [substittued] with acyl groups, heteroalkylaryl which may be substituted with alkyl groups, aralkyl which may be substituted with acyl groups, or are members of the same heteroalkyl, cycloalkyl, heterocycloalkyl, aryl, heteroaryl which may be substituted with alkylene groups, or aralkyl ring system, which may be substituted with -OH or -NH_2 groups; and

R^8 is H;

or a pharmaceutically acceptable salt, solvate, hydrate or formulation thereof.

4. (amended) Compounds according to Claim 1 [Claims 1 to 3], wherein
X is H_2N-C (=NH) - or HO-N=C(-NH_2) - or R^2OC (=O) -N=C (-NH_2) - ,
R^3 is H,
R^4 is H, methyl, hydroxymethyl, isopropyl, 2-imidazolyl, 3-pyrazolyl,
Ar is meta-phenylene,
R^5 is a small alkyl or an aralkyl group, and
R^8 is H.

5. (amended) Compounds according to Claim 1 [Claims 1 to 4], wherein
X is H_2N-C (=NH) - or HO-N=C(-NH_2) - or R^2OC (=O) -N=C (-NH_2) - ,
R^3 is H,
R^4 is H, methyl, hydroxymethyl, 1,2-dihydroxyethyl, ethoxycarbonyl, isopropyl, cyclopropyl, 2-imidazolyl, 2-pyrrolyl, 3-pyrazolyl, 2-pyridyl, 4-methoxycarbonylphenyl,
Ar is meta-phenylene,
R^5 is a small alkyl or an aralkyl group,
R^6 is H and R^7 is optionally substituted 1H-indol-3-yl-ethyl, 4-hydroxy-phenylethyl, cyclohexyl, N-(2-methoxyphenyl)piperazinyl, 1,3-benzodioxol-5-ylmethyl, benzyl, phenethyl, 3,4-dimethoxyphenyl-1-ylmethyl, 2-methoxyphenyl-1-ylmethyl, 2-(4-morpholinyl)ethyl, 2-pyridinylethyl, 2-pyridinylpropyl, 3-pyridinylmethyl or R^6 and R^7 are part of a tetrahydroisoquinoline ring, a 4-thiomorpholine ring, a N-(2-methoxyphenyl)piperazine ring or a N-(4-methoxyphenyl)piperazine ring, and
R^8 is H

7. (amended) Compounds according to Claims 1 or [and] 6, wherein
X is H_2N-C (=NH) - or HO-N=C(-NH_2) - or R^2OC (=O) -N=C (-NH_2) - ,
R^3 is H,

R^4 is H, methyl, hydroxymethyl, isopropyl, 2-imidazolyl, 3-pyrazolyl,
Ar is para-phenylmethylene group, and
R^5 is a small alkyl or an aralkyl group.

8. (amended) Compounds according to Claims 1 or 6 [1, 6 and 7], wherein
X is H_2N-C (=NH) - or HO-N=C(-NH_2) - or R^2OC (=O) -N=C (-NH_2) - ,
R^3 is H,
R^4 is H, methyl, hydroxymethyl, 1,2-dihydroxyethyl, ethoxycarbonyl, isopropyl, cyclopropyl, 2-imidazolyl, 2-pyrrolyl, 3-pyrazolyl, 3- or 4-phenoxy-phenyl, 1,3-benzodioxol-5-yl, 2-pyridyl, 4-methoxycarbonyl-phenyl,
Ar is para-phenylmethylene group,
R^5 is a small alkyl or an aralkyl group,
R^6 is H and R^7 is optionally substituted 1H-indol-3-yl-ethyl, 4-hydroxy-phenethyl, cyclohexyl, N-(2-methoxyphenyl)piprazinyl, 1,3-benzodioxol-5-ylmethyl, benzyl, phenethyl, 3,4-dimethoxyphenyl-1-ylmethyl, 2-methoxyphenyl-1-ylmethyl, 2-(4-morpholinyl)ethyl, 2-pyridinylethyl, 2-pyridinylpropyl, 3-pyridinylmethyl or R^6 and R^7 are part of a tetrahydroisoquinoline ring, a 4-thiomorpholine ring, a N-(2-methoxyphenyl)piperazine ring or a N-(4-methoxyphenyl)piperazine ring, and
R^8 is H.

9. (amended) A pharmaceutical composition [Pharmaceutical compositions] containing a compound according to Claim 1 or 2 [Claims 1 to 8] as the active agent and optionally carriers and [and/or] adjuvants.